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COURT ROUNDUP

ICT expert called in petition hearing

Unimas dean called to explain, distinguish terms used in ICT

By Churchill Edward

KUCHING: An expert witness on Information and Communications Technology (ICT) was called to testifying in the hearing of a petition against Bandar Kuching MP Chong Chieng Jen yesterday.

Johari Abdullah, Dean of the Faculty of Computer Science and IT of Universiti Malaysia Sarawak (Unimas) cum ICT consultant, was called to explain and distinguish terms used in ICT as well as to demonstrate the opening of a blog site.

During his examination by petitioner's counsel Henry Ling Kuong Meng, Johari said a 'blog' can be written or/and owned by a single user but it can also be written and/or owned by multiple users.

The case was presided over by Judge Datuk Clement Allan Skinner.

Among other things, the ninth witness explained the meaning of terms like internet, worldwide web (or www), URL, protocol, http, webpage, download, and upload.

He pointed out the 'internet' and 'blog' have different meanings and nature even though they have been used interchangeably by end-users and laymen.

The 'internet' is the physical connection similar to a 'highway' whereby a 'blog' is an application that utilises the internet for data transfer, he said.

Based on his petition filed in April this year, Kho Whai Phiaw, 64, alleged that Chong or with his knowledge or consent published through his blog site "http://chiengjen.blogspot.com/2008/03/blog-post_05.html", a letter of one 'Mr Smith' or fictitious person on sensitive religious allegations involving Umno.

The material was published in the blog site since March 6 2008, said Kho a registered voter in Bandar Kuching.

Kho therefore alleged Chong was guilty of an offence of corrupt practice of undue influence when the material was published, contravening Section 9 (1) of the Election Offences Act 1954.

He was seeking court declaration, under Section 32 (c) of the same Act, that the parliamentary election in Bandar Kuching was void and a by-election may be held.

In the petition Kho alleged Chong or with his knowledge or consent had insinuated or made a warning, threat or intimidation of the infliction of fear and injury or harm to Chinese voters if they wanted to vote for



MORAL SUPPORT: Pending assemblywoman Violet Yong (left) and DAP Sarawak Youth secretary Wong King Wei talk with MP Chong (right) at the courthouse.

Barisan Nasional-SUPP Alan Sim Yaw Yen.

Chong garnered 22,901 votes to defeat Sim by 9,952-majority votes in a straight contest in the constituency at the March 8, 2008 polls.

Yesterday two other witnesses for the petitioner namely Chief editor of Chinese newspaper Lee Fook Onn and reporter of United Daily Tan Shen Chee testified.

Lee's apparent suspicion on the line of questioning by Counsel Wong Ho Leng during cross examination prompted the judge to remind him nobody was being unfair to him.

Skinner said: "You (Lee) have come to this court as a witness.

The issues in this case relate to Mr Chong Chieng Jen's election.

The petitioner who has called you has alleged that Mr Chong Chieng Jen is supposed to have made some false statements to the electorates.

That has become an issue.

"Mr Chiong Chieng Jens' lawyer (Wong) is now trying to show through questioning of the petitioner's witnesses that those statements are not false or were not meant to mislead or were not to induce voters to vote for him.

That is all they (Chong's lawyers) are doing.

The issue is relevant.

Nobody has brought you to court to bully or to embarrass you."

In requesting Lee to answer questions, Skinner said he has been very patient with him.

"Please try to answer the question, directly or accurately.

Listen to what Mr Wong has to say.

The question he is asking you forms part of the case in this petition.

"I am explaining to you that when Mr Ling (Kuong Meng, petitioner's counsel) called you as a witness, he exhibited the newspaper in which DAP manifesto which says many things including the allegation of bribery.

"Nobody is being unfair to you.

You are just one of the witnesses in this case," the judge told Lee.

Earlier Wong asked Lee: "Has your newspaper published news of Datuk Seri Dr Mahathir Mohamad condemning corruption in Malaysia and that it is getting from bad to worse?"

Lee: I am 62-year-old man.

Whatever I say I must be very careful because everything will be reported in the newspaper.

Judge Skinner: It is alright to be careful but you must answer the question.

Lee: I request from the court and the relevant party that has requested

me to attend court to tell the scope of evidence I have to tell in the court.

Wong: It is my duty to remind you that you have to answer all question which are relevant in this case and your obligation in this Court is, to tell the truth.

Lee: I request that the Court not to question me on something that is not relevant to the publication on 29.2.2008 in respect of the DAP's election manifesto.

Wong: Your newspaper is related to SUPP, am I right?

Lee: What relation?

Wong: That the owner is Wee Kok Keong?

Lee: That I have to find out from the business registration.

When Wong suggested that Lee was being uncooperative in court because his newspaper is related to SUPP, the witness said he disagreed.

Tan said he did not receive any complaint from any quarters in regards to the accuracy of his news report on the launching of the DAP election campaign manifesto.

The news was based on information obtained from a DAP press conference chaired by Chong and Voon Lee Shan (DAP Sarawak treasurer) on Feb 29 2008.

Tan testified DAP Sarawak chairman Wong Ho Leng launched the manifesto in Sibuan a day earlier.